

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

SHALABY, ET AL,

Plaintiff,

v.

NEWELL RUBBERMAID, INC. ET AL,

Defendant.

Civil No. 07cv2107-W (POR)

**ORDER REGARDING ATTENDANCE  
OF CORPORATE COUNSEL AT THE  
EARLY NEUTRAL EVALUATION**

On January 3, 2008, the Court received the attached letter from third party defendant Worthington Industries, Inc. ("Worthington"). Third party defendant Worthington requests that Tim Doney, Assistant General Counsel for Worthington, be permitted to represent it at the Early Neutral Evaluation set for January 16, 2008.

The Court's Notice and Order Regarding Early Neutral Evaluation, dated November 19, 2007, specifically states that "[c]orporate counsel and/or retained outside corporate counsel shall not appear on behalf of a corporation as the party who has the authority to negotiate and enter into a settlement." Although Mr. Doney makes the final decision on almost all settlements, it appears he must consult with other company executives. Therefore, while Mr. Doney may attend the Early Neutral Evaluation, the person(s) he must confer with must also be in attendance in accordance with

///

///

///

///

1 the Court's order.

2 **IT IS SO ORDERED.**

3

4 DATED: January 4, 2008

5   
6 LOUISA S PORTER  
7 United States Magistrate Judge

8 cc: The Honorable Thomas J. Whelan  
9 all parties

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28